



General Assembly

Substitute Bill No. 5325

February Session, 2008

* _____ HB05325GAE _____ 031908 _____ *

AN ACT CONCERNING THE SUNSET LAW.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 2c-3 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 The Legislative Program Review and Investigations Committee,
4 established by the provisions of section 2-53e, shall conduct a
5 performance audit of each governmental entity and program
6 scheduled for termination under section 2c-2b of the 2008 supplement
7 to the general statutes, through the application of results-based
8 accountability. The Legislative Program Review and Investigations
9 Committee shall complete its performance audit by January first of the
10 year in which the governmental entity and program are scheduled for
11 termination under section 2c-2b of the 2008 supplement to the general
12 statutes. In conducting the audit, the committee shall take into
13 consideration, but not be limited to considering, the factors set forth in
14 sections 2c-7, as amended by this act, and 2c-8, as amended by this act.
15 The entities enumerated in section 2c-2b of the 2008 supplement to the
16 general statutes shall cooperate with the Legislative Program Review
17 and Investigations Committee in carrying out the purposes of sections
18 2c-1 to 2c-12, inclusive, and shall provide such information, books,
19 records and documents as said committee may require to conduct its
20 performance audit. Each governmental entity or program scheduled

21 for termination pursuant to section 2c-2b of the 2008 supplement to the
22 general statutes shall provide at the request of the Program Review
23 and Investigations Committee an analysis of its activities which
24 specifically addresses the factors enumerated in sections 2c-7, as
25 amended by this act, and 2c-8, as amended by this act. For the
26 purposes of this section and chapter 28, "results-based accountability"
27 means the method of planning, budgeting and performance
28 measurement for state entities and programs that focuses on the
29 quality of life results the state desires for its citizens and that identifies
30 program performance measures and indicators of the progress the
31 state makes in achieving such quality of life results in addition to the
32 programs and partners that make a significant contribution to such
33 quality of life results.

34 Sec. 2. Section 2c-7 of the general statutes is repealed and the
35 following is substituted in lieu thereof (*Effective from passage*):

36 In determining whether there is a public need for the continued
37 existence of an entity or program, the General Assembly shall consider,
38 among other things:

39 [(a) Whether termination of the entity or program would
40 significantly endanger the public health, safety or welfare;

41 (b) Whether the public could be adequately protected by another
42 statute, entity or program, or by a less restrictive method of regulation;

43 (c) Whether the governmental entity or program produces any
44 direct or indirect increase in the cost of goods or services, and if it does,
45 whether the public benefits attributable to the entity or program
46 outweigh the public burden of the increase in cost, and

47 (d) Whether the effective operation of the governmental entity or
48 program is impeded by existing statutes, regulations or policies,
49 including budgetary and personnel policies.]

50 (1) The extent to which the entity or program contributes to the

51 relevant quality of life results according to the relevant indicators of
52 results-based accountability; and

53 (2) How well the entity or program works, as shown by
54 performance measures of results-based accountability.

55 Sec. 3. Section 2c-8 of the general statutes is repealed and the
56 following is substituted in lieu thereof (*Effective from passage*):

57 In determining whether a regulatory entity or program has served
58 the general public, and not merely the persons regulated, the General
59 Assembly shall consider, among other things:

60 [(a) The extent to which qualified applicants have been permitted to
61 engage in any profession, occupation, trade or activity regulated by the
62 entity or program;

63 (b) The extent to which the governmental entity involved has
64 complied with federal and state affirmative action requirements;

65 (c) The extent to which the governmental entity involved has
66 recommended statutory changes which would benefit the public as
67 opposed to the persons regulated;

68 (d) The extent to which the governmental entity involved has
69 encouraged public participation in the formulation of its regulations
70 and policies, and

71 (e) The manner in which the governmental entity involved has
72 processed and resolved public complaints concerning persons subject
73 to regulation.]

74 (1) The extent to which the entity or program contributes to the
75 relevant quality of life results according to the relevant indicators of
76 results-based accountability; and

77 (2) How well the entity or program works, as shown by
78 performance measures of results-based accountability.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	2c-3
Sec. 2	<i>from passage</i>	2c-7
Sec. 3	<i>from passage</i>	2c-8

PRI *Joint Favorable Subst.-LCO C/R*

GAE

GAE *Joint Favorable Subst.*